

The Honorable Lonny R. Suko

Joseph D. Hampton
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UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF WASHINGTON
AT SPOKANE

TECK COMINCO METALS LTD.,)	
)	No. CV-05-411-LRS
Plaintiff,)	
)	
v.)	STIPULATION AND
)	[PROPOSED] ORDER
SEATON INSURANCE COMPANY)	EXTENDING ANSWER DATE
(f/k/a Unigard Security Insurance)	FOR DEFENDANT LOMBARD
Company, f/k/a Unigard Mutual)	
Insurance Company), et al.,)	
)	
Defendants.)	

Plaintiff Teck Cominco Metals, Ltd. and Defendant Lombard General Insurance Company of Canada, by and through their respective counsel, hereby stipulate and agree that the subjoined order may be entered by the court, without further notice to either party.

STIPULATION AND **[PROPOSED]** ORDER
EXTENDING ANSWER DATE FOR
DEFENDANT LOMBARD (CV-05-411-LRS) - 1

GORDON & POLSCER, L.L.C.
1000 Second Avenue, Suite 1500
Seattle, WA 98104
(206) 223-4226

1 Dated this _____ day of January, 2006. Dated this _____ day of January, 2006.
2 GORDON & POLSCER, L.L.C. JERRY MOBERG & ASSOCIATES

3
4 By: _____ s/ Joseph D. Hampton By: s/ Jerry J. Moberg (e-mail authority)
5 Joseph D. Hampton Jerry J. Moberg, WSBA No. 5282
6 WSBA No. 15297 Attorneys for Plaintiff Teck Cominco
7 Attorneys for Defendant Lombard Metals Ltd.
8 General Insurance Company of Canada,
9 Inc.

10 **ORDER**

11 Defendant Lombard General Insurance Company of Canada ("Lombard")
12 need not answer plaintiff's complaint on file herein, or any amendment thereof,
13 until twenty days after the Court has ruled on motions to dismiss which the parties
14 currently anticipate the defendants will file on January 31, 2006.

15 In the event that this matter is remanded to the Superior Court of
16 Washington, this agreement shall survive such remand and Lombard's answer date
17 shall remain as set forth above, unless the Superior Court rules otherwise.

18 DATED this _____ day of _____, 2006.

19
20 _____
21 United States District Court
22 Judge Lonny R. Suko
23
24
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STIPULATION AND [PROPOSED] ORDER
EXTENDING ANSWER DATE FOR
DEFENDANT LOMBARD (CV-05-411-LRS) - 2

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1 Presented by:

2 GORDON & POLSCER, L.L.C.
3
4

5 By: /s Joseph D. Hampton
6 Joseph D. Hampton, WSBA No. 15297
Brett W. Sommermeyer, WSBA No. 30003
7 Attorneys for Defendant Lombard General
Insurance Company of Canada, Inc.
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STIPULATION AND **[PROPOSED]** ORDER
EXTENDING ANSWER DATE FOR
DEFENDANT LOMBARD (CV-05-411-LRS) - 3

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CERTIFICATE OF SERVICE

I, hereby certify that on January 17, 2006, I electronically filed the following:

- **Stipulation And [Proposed] Order Extending Answer Date For Defendant Lombard; and**
- **Certificate of Service.**

with the Court using the CM/ECF system which will send notification of such filing to the following:

Counsel for Plaintiff:

Gerald J. Moberg
Jerry Moberg & Associates
41 Diamond Drive
Ephrata, WA 98823

Counsel for Defendant London Market Insurers:

Robert L. Israel
Cathy A. Spicer
Gabriel Baker
Kathleen Nelson
Lane Powell P.C.
1420 Fifth Avenue, Suite 4100
Seattle, WA 98101

Counsel for Seaton Ins. Co.:

Brad E. Smith
Ewing Anderson, P.S.
221 North Wall Street, Suite 500
Spokane, WA 99201-0824

STIPULATION AND [PROPOSED] ORDER
EXTENDING ANSWER DATE FOR
DEFENDANT LOMBARD (CV-05-411-LRS) - 4

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Counsel for Defendant Continental Ins. Co.:

Stephen H. Goodman
Graham & Dunn, P.C.
1420 Fifth Avenue, Suite 3300
Seattle, WA 98101

and I hereby certify that I have mailed by United States Postal Service the
document to the following non-CM/ECF participants:

Counsel for Plaintiff:

David F. Klein
Mark J. Plumer
Alexander J. Lathrop
Swidler Berlin LLP
The Washington Harbour
3000 K Street N.W., Suite 300
Washington, DC 20007

Dated this 17th day of January, 2006.

GORDON & POLSCER, L.L.C.

By: /s/ Joseph D. Hampton

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STIPULATION AND [PROPOSED] ORDER
EXTENDING ANSWER DATE FOR
DEFENDANT LOMBARD (CV-05-411-LRS) - 5

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